



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 2, 2016

Tessie Murakami
2215 Southeast 37th Avenue
Portland, OR 97214

REGARDING: PROJECT NO. R2015-02379-(2)
CONDITIONAL USE PERMIT NO. 201500097
2237 EAST EL SEGUNDO BOULEVARD, WILLOWBROOK (APN: 6152-003-033)

Hearing Officer Patricia Hachiya, by her action of **February 2, 2016**, has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **February 16, 2016**. **Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Anthony Curzi of the Zoning Permits North Section at (213) 974-6443, or by email at acurzi@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Robert Glaser, Supervising Regional Planner
Zoning Permits North Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: DPW (Building and Safety); Zoning Enforcement

RG:AMC

CC.060412

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-02379-(2)
CONDITIONAL USE PERMIT NO. 201500097**

PROJECT DESCRIPTION

The project is a request for a Conditional Use Permit (CUP) for the reauthorization for the continued operation and maintenance of an existing wireless telecommunication facility (WTF) comprised of a 62-foot-tall monopine tower with an approximately 891-square-foot equipment ground compound in a church parking lot, subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on February 2, 2031.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new CUP application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation and maintenance of the WTF and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with

the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal

decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **three (3) copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **April 2, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (WTF)

19. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
20. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
21. Any proposed WTF that will be co-locating on the proposed facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of Regional Planning.
22. All structures shall conform to the requirements of Public Works Division of Building and Safety or other appropriate agency.
23. Pole-mounted lighting is prohibited on the leasehold. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
24. Placement and height of all pole-mounted equipment shall be in substantial conformance with that shown on said Exhibit "A".
25. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways or garages.

26. The maximum height of the facility shall not exceed 62 feet above finished grade.
27. The permittee shall maintain current contact information with the Zoning Enforcement Section of Regional Planning.
28. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant.
29. The facility shall be maintained in good condition and repair, and shall remain free of general dirt and grease; chipped, faded, peeling or cracked paint; trash, debris, litter, graffiti and other forms of vandalism; cracks, dents, blemishes and discolorations; visible rust or corrosion on any unpainted metal areas. Any damage from any cause shall be repaired by the permittee within 30 days of notice. Weathered, faded or missing parts/materials used to disguise/camouflage the facility shall be maintained and/or replaced by the permittee within 30 days of notice.
30. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of Regional Planning to show compliance with the maintenance and removal conditions.
31. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
32. The facility shall be secured by fencing, gates and/or locks.
33. Upon termination of this grant or after the construction of this facility, if the facility has ceased to operate; the permittee shall remove such facility and clear the site of all equipment within six months of the cease of operation date. The permittee shall restore the site as nearly as practicable to the condition prior to the installation of the subject facility.
34. New equipment added to the facility shall not compromise the stealth design of the facility.
35. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.
36. A minimum of 34 on-site parking spaces shall be provided and continuously maintained as shown on the approved Exhibit "A". All parking spaces shall remain free and clear of debris, shall be continuously available for vehicular parking only and shall not be used for storage, vehicle repair, or any other unauthorized use.

PROJECT SITE SPECIFIC CONDITIONS

37. This grant shall authorize the continued operation and maintenance of a WTF comprised of a 62-foot-tall monopine tower with a ground-based equipment compound.

**FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-02379-(2)
CONDITIONAL USE PERMIT NO. 201500097**

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Conditional Use Permit No. 201500097 ("CUP") on February 2, 2016.
2. The permittee, SBA 2012 TC Assets ("permittee"), requests the CUP to authorize the reauthorization of an existing wireless telecommunication facility (WTF) consisting of a 62-foot-tall monopine in a church parking lot ("Project") on a property located at 2237 East El Segundo Boulevard in the unincorporated community of Willowbrook ("Project Site") in the R-3 (Limited Density Multiple Residence) Zone pursuant to Los Angeles County Code ("County Code") Section 22.20.290.
3. The Project Site is 0.69 gross acres (30,000 square feet) in size and consists of four legal lots. The Project Site is irregular in shape with flat topography and is developed with a church comprised of a main sanctuary and an accessory building and appurtenant 34-space parking lot.
4. The Project Site is located in the Willowbrook - Enterprise Zoned District and is currently zoned R-3.
5. The Project Site is located within the H30 (Residential 30) land use category of the County General Plan Land Use Policy Map.
6. Surrounding Zoning within a 500-foot radius includes:
 - North: R-3, R-1 (Single-Family Residence), R-3-29U-DP (Limited Density Multiple Residence – 29 Units Per Acre – Development Program)
 - South: R-3, R-1, C-3 (General Commercial)
 - East: R-3, C-3
 - West: R-3
7. Surrounding land uses within a 500-foot radius include:
 - North: Family and child care centers, vacant land, single- and two-family residences
 - South: Single-, two-family, and multi-family residences; church; parking lot; restaurant; and light industrial uses
 - East: Post office, County community school, Metro Blue Line light rail right-of-way, auto shop, warehouse, multi-family residential and light industrial uses
 - West: Multi-family residences
8. The existing WTF was established by CUP No. 200400063 on September 6, 2005.

The Willowbrook Community Standards District (CSD) was established through Ordinance No. 94-0019 on March 15, 1994.

Plot Plan 25475 approved a lobby extension on October 25, 1989.

The subject site's R-3 zoning was established through Ordinance No. 3264 on December 20, 1938.

9. The site plan for the Project depicts the subject church property with the WTF located in the parking lot. The L-shaped property measures 138 feet at its widest point and 66 feet at its narrowest (toward the rear of the lot), and 280 feet at its deepest and 160 at its shallowest. Two church buildings and appurtenant 34-space parking (with one disabled-accessible space) lot are depicted.

The WTF is depicted at the eastern side of the property, including its approximately 891-square-foot ground-mounted compound with surrounding 7-foot fence. Elevations depict the 62-foot-tall monopine tower with six 6-foot panel antennas, two each on three sectors and 12 RRUs.

10. The Project Site is accessible via El Segundo Boulevard to the south. Primary access to the Project Site will be via an entrance/exit on El Segundo Boulevard.
11. The Project provides a total of 34 parking spaces, one of which is disabled-accessible.
12. No comments were received from County Departments regarding the Project.
13. Prior to the Hearing Officer's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the 62-foot-tall monopine WTF has existed at the site for many years and no modifications or improvements are proposed at this time. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.
14. Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, and property posting.
15. Staff has not received any comments at this time from the public.
16. A duly-noticed public hearing was held before Hearing Officer Hachiya. Staff presented the case and recommended approval. The Hearing Officer, seeing no public comment, closed the public hearing, found the Project categorically exempt from CEQA, and approved the CUP for a 15-year grant term.
17. The Hearing Officer finds that the project site is consistent within the H30 (Residential 30 [0 to 30 dwelling units per acre]) land use category of the County

General Plan. This residential designation is intended for medium-density residential properties such as apartment houses. The church with WTF is a use permitted provided a conditional use permit is first obtained. The WTF in the church parking lot provides a local service to residents of the area and is, therefore, consistent with the permitted uses of the underlying land use category. Furthermore, there are a variety of buildings other than multi-family residences in the vicinity, so the church with WTF is not incompatible or out-of-character with surrounding land uses.

18. The Hearing Officer finds that the Project is consistent with the zoning designation of the property. Title 22 of the County Code does not explicitly specify "WTF" as a use. The use most consistent with a WTF specified in the County Code is "radio or television stations and towers". Pursuant to Section 22.20.290 of the County Code, development of radio and television stations and towers is a permitted use of property in R-3 Zone provided that a CUP is first obtained.

19. The health, peace, comfort, or welfare of persons residing or working in the surrounding area will not be adversely affected by the proposed project. The facility does not generate noise, odor, waste, hazardous materials, and generates only negligible amounts of traffic for the maintenance personnel. The facility will remain as it has been for the past 10 years, will not introduce a new land use to the area, and will remain unobtrusive in its appearance and operation. The WTF has not had any violations and its concealment as a 62-foot pine tree helps render it compatible with the community.

Therefore the Hearing Officer finds that the proposed use with the attached conditions will be consistent with the adopted General Plan.

20. Other persons located in the vicinity of the site will not notice any difference from what is currently existing and operating at the site. The proposed project will in no way jeopardize, endanger, or constitute a menace to the public health, safety or general welfare.

Therefore the Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

21. The site is 30,000 square feet and easily accommodates the WTF and the church's facilities and meets all applicable development standards. The project is well served by all applicable and necessary infrastructure, including roads and electricity.

22. Therefore the Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

23. Vehicular access to the property is via El Segundo Boulevard, a 100-foot-wide arterial to the south. Sidewalks are present at the subject site and Class II bike lanes are proposed as part of the 2011 County Bicycle Master Plan. The continued operation and maintenance of the WTF will not impair pedestrian, bicycle, or vehicular use
24. Therefore the Hearing Officer finds that Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required.
25. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 15 years.
26. The Hearing Officer finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, newspaper, and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at libraries located in the vicinity of Willowbrook community. On December 23, 2015, a total of 72 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as four notices to those on the courtesy mailing list for the Willowbrook - Enterprise Zoned District and to any additional interested parties.
27. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits North Section, Department of Regional Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of pedestrian, bicycle, and vehicle traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15301 of the State CEQA Guidelines (Class 1, Existing Facilities categorical exemption); and
2. Approves Conditional Use Permit No. 201500097, subject to the attached findings and conditions.

ACTION DATE: February 2, 2016

RG:AMC
February 2, 2016

c: Zoning Enforcement, Building and Safety